

Plaintiff's Motion for Attorney's Fees, ordering Defendant to pay Plaintiff \$6,415.00 in attorneys' fees, costs, and expenses incurred by Plaintiff in this matter. (Order, ECF No. 16 at 5).

Plaintiff now moves to vacate the default judgment against Defendant and dismiss the case without prejudice to refiling. Plaintiff asserts that after the Court entered its Order for Default Judgment against Defendant, Defendant's counsel notified Plaintiff that there was an error in the address of the Property. (Mot. Vacate Default J. at 1). According to Plaintiff, the correct address of the Property is 5741 Crowley Road, not 5721 Crowley Road. (*Id.*). Plaintiff asks the Court to dismiss the case so that the parties can "make an effort to resolve this matter outside litigation in the interests of judicial economy and *Dondi*." (Mot. Dismiss at 1). If the parties cannot reach an agreement, Plaintiff states that he will refile the case. (*Id.*).

After reviewing Plaintiff's motions, the Court is of the opinion that they should be **GRANTED**. Therefore,

IT IS ORDERED that the Court's Order granting Plaintiff's Motion for Default Judgment [ECF No. 11] and the Default Judgment entered against Defendant [ECF No. 12] are **VACATED**.

IT IS FURTHER ORDERED that the Court's Order granting Plaintiff's Motion for Attorney's Fees [ECF No. 16], which is predicated on the Default Judgment entered against Defendant, is **VACATED**.

IT IS FURTHER ORDERED that all of Plaintiff's claims in this action against Defendant are **DISMISSED WITHOUT PREJUDICE**. The parties are to bear their own attorneys' fees and costs incurred as a result of this action.

SO ORDERED.

February 23, 2018.


BARBARA M. G. LYNN
CHIEF JUDGE